

Docket No.: 50006-070



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Jiro MATSUFUSA, et al.

Serial No.: 09/620,718

Group Art Unit: 2814

Filed: July 20, 2000

Examiner: G. Peralta

For: SEMICONDUCTOR DEVICE HAVING TEST MARK

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
Washington, DC 20231

Sir:

The following Remarks are submitted in response to the Office Action dated November 29, 2002.

**REMARKS**

**Claims 1-8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted prior art ("AAPA") in view of Chen et al.**

In the statement of the rejection, the Examiner asserted that AAPA teaches all the limitations in the claims with exception of a metal layer formed on the first TEOS layer and opposing the corner of the recess. Then, the Examiner referred to Chen et al., asserting that Chen et al. discloses metal layers which oppose to the corner of an alignment mark and which are used for the disclosed intended purpose of providing a structure that makes the mark on the wafer easier to identify. The Examiner subsequently